

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

SOURCEAMERICA, et al.,

Plaintiffs,

v.

**UNITED STATES DEPARTMENT
OF EDUCATION, et al.,**

Defendants.

Case No. 1:17-cv-893 (TSE/IDD)

**DEFENDANTS' UNOPPOSED MOTION FOR
EXTENSION OF TIME TO RESPOND TO THE COMPLAINT**

Pursuant to Federal Rule of Civil Procedure 6(b)(1)(A) and Local Civil Rule 7(I), defendants, through their undersigned counsel, hereby respectfully move this court to extend the time for them to respond to the Complaint, up to and including October 30, 2017. Counsel for the defendants has consulted with plaintiffs' counsel regarding this motion, and is authorized to represent that the plaintiffs do not object to the relief requested in this motion. The grounds for this motion are as follows:

1. Plaintiffs filed their Complaint on August 5, 2017, and served it on the United States Attorney on August 9, 2017. Pursuant to Fed. R. Civ. P. 12(a)(2), then, the responsive pleading is due October 10, 2017. The Complaint spans 50 pages and contains over 218 paragraphs and alleges a number of constitutional and statutory claims against three federal agencies and three federal officials in their official capacities. Defendants' response to the complaint requires coordination across several federal agencies. This coordination has already begun but requires additional time.

2. Defendants request 20 additional days in which to file their response to the Complaint – by no later than October 30, 2017. The attorney with primary responsibility for representing defendants, Ms. Straus Harris was only assigned to this case in late August. In the time since that assignment, Ms. Straus Harris has been out of the office for a week on a long-scheduled vacation as well as for two additional days of religious leave in observance of the Jewish holiday of Rosh Hashanah. Ms. Straus Harris will additionally be out of the office for four additional days of religious leave in observance of upcoming Jewish holidays on October 5, 6, 12, and 13. Further, Ms. Straus Harris has had and continues to have a number of other pressing litigative responsibilities in the months of September and October.

3. This is the first extension of this deadline that Defendants have requested, and it is supported by good cause, including the complexity of the complaint, the need to coordinate among multiple agencies, and religious leave and litigation deadlines in other matters for the primary attorney representing the defendants.

For all of the foregoing reasons, we ask that the court permit Defendants to file an answer or otherwise respond to the Complaint on October 30, 2017.

Dated: October 2, 2017

Respectfully submitted,

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CERTIFICATE OF SERVICE

I certify that on October 2, 2017, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which sent a notification of such filing (NEF) to the following counsel of record:

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